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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,351	07/09/2003	Edward Enyedy	LEE 2 00308	1545

64956 7590 01/10/2007  
FAY SHARPE / LINCOLN  
1100 SUPERIOR AVENUE  
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CLEVELAND, OH 44114

EXAMINER
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LANGDON, EVAN H

ART UNIT	PAPER NUMBER
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3654

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/616,351	ENYEDY, EDWARD	
	<b>Examiner</b>	<b>Art Unit</b>	
	Evan H. Langdon	3654	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 9-12 and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bobeczko et al (US 6,557,742).

In regards to claims 1 and 13, Bobeczko discloses a wire feeding mechanism for advancing a continuous length of wire along a pathway, said wire feeding mechanism comprising:

a housing 16 having two roller supports each rotatable about a corresponding axis transverse to the pathway, the roller supports being on opposite sides of the pathway and being driveably engaged with each other (Fig. 1);

a drive roller 34 on each roller support for rotation therewith and having a roller axis coaxial with the axis of the corresponding roller support each the driver roller including a hub having an outer surface 50 extending circumferentially about the roller axis, and a coating 36 on the outer surface 50; and

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the plating 36 of each of the drive rollers tangentially and compressively contacting a continuous length of wire therebetween such that the wire is advanced along the pathway in response to the rotation of the drive roller.

Claims 1, 9-12 and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Gilliland (US 5,370,290).

In regards to claims 1 and 13, Gilliland discloses a wire feeding mechanism for advancing a continuous length of wire along a pathway, said wire feeding mechanism comprising:

a housing 12 having two roller supports each rotatable about a corresponding axis transverse to the pathway, the roller supports being on opposite sides of the pathway and being driveably engaged with each other (Fig. 1);

a drive roller 22A,22B on each roller support for rotation therewith and having a roller axis coaxial with the axis of the corresponding roller support each the driver roller including a hub having an outer surface (Fig 2A,2B) extending circumferentially about the roller axis, and a coating (col. 4, lines 3-5) on the outer surface; and

the plating (col. 4, lines 3-5) of each of the drive rollers tangentially and compressively contacting a continuous length of wire therebetween such that the wire is advanced along the pathway in response to the rotation of the drive roller.

***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliland (US 5,370,290) in view of Sanda et al. (US 6,851,644 B2).

Sanda teaches a drive roller having a plating on the outer surface made of chrome (col. 6 lines 1-5 and 38-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the plating of Gilliland to include chrome as suggested by Sandra, to reinforce with a hardness layer for continuous contact (col. 5 lines 61-67).

In regards to claims 4 and 17, it is inherent that chrome has a Rockwell hardness of about Rockwell C 70 to about Rockwell C 72.

With respect to claims 3, 5, 16 and 18, Gilliland as modified by Sandra does not disclose specific values for the thickness of the plating or the percentage of composition of the plating. However, one of ordinary skill in the art is expected to routinely experiment with the parameters, especially when the specifics are not disclosed, so as to ascertain the optimum or workable ranges for a particular use. Accordingly, it would have been obvious through routine experimentation and optimization, for one of ordinary skill in the art to make the plating between 0.0001 and 0.0030 inches thick, or 0.004 and 0.0006 inches thick. In addition, it would have been obvious through routine experimentation and optimization, for one of ordinary skill in the art to use chrome that is between about 96% and 97% chromium.

Claims 6-8 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliland et al (US 6,557,742) in view of McBride (US 3,756,760).

McBride teaches a drive roller having a plating on the outer surface made of nickel (col. 2 lines 64-66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the plating of Gilliland to include nickel as suggested by McBride, to provide flexure (col. 2 line 67).

In regards to claims 7 and 20, it is inherent that nickel has a Rockwell hardness of about Rockwell C 60.

With respect to claims 8 and 21, Gilliland as modified by McBride does not disclose specific values for the thickness of the plating. However, one of ordinary skill in the art is expected to routinely experiment with the parameters, especially when the specifics are not disclosed, so as to ascertain the optimum or workable ranges for a particular use. Accordingly, it would have been obvious through routine experimentation and optimization, for one of ordinary skill in the art to make the plating between 0.0001 and 0.0030 inches thick.

### ***Response to Arguments***

Applicant's arguments filed 23 October 2006 have been fully considered but they are not persuasive.

In regards argument that the word plating does not encompass a rubber or plastic material as disclosed by Bobeczko, the subject application defines plating as being a plating or coating on

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page 4 of the specification. Plating is does not mean nor is it defined as meaning a hard metal. Plastic would be encompassed by plating or coating. The Applicant argues that there is not recitation on page f of plating "being a plating or a coating." However, as noted by the applicant, line 28 of page 4 states in the alternative "one of a plate and a coating on the outer surface." The definition in the specification along with the Modern Language definition of plating as a covering of metal, plastic, glass, or similar hard material, and Merriam-Webster's Collegiate Dictionary definition's of plating is to cover with an adherent layer mechanically, chemically or electrically, a layer of plastic as taught by the prior art would be encompassed by plating or coating.

Applicant's arguments with respect to claims 2-8 and 15-24 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

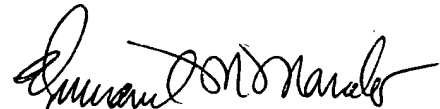
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ehl



**EMMANUEL MARCELO**  
**PRIMARY EXAMINER**